

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13895, of John M. Robinson, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirements (Sub-section 7202.1) to use all floors of the subject premises as a four unit apartment house in an R-5-B District at premises 1858 Mintwood Place, N.W., (Square 2550, Lot 181).

HEARING DATE: January 19, 1983

DECISION DATE: January 19, 1983

FINDINGS OF FACT:

1. The subject property is located on the south side of Mintwood Place between 19th Street and Columbia Road, N.W. and is known as premises 1858 Mintwood Place, N. W. It is zoned R-5-B.

2. The subject property is improved with a four-story brick row house structure which was constructed in approximately 1906.

3. The subject property is currently owner-occupied and operating as a seven-unit rooming house pursuant to Certificate of Occupancy No. 98373.

4. The applicant proposes to convert the structure to a four-unit apartment house which is a permitted use in the R-5-B District. The apartment house will consist of an efficiency unit in the basement, a two-bedroom duplex on the first floor and the rear of the second floor, and one-bedroom units on the second and third floors. The applicant plans to occupy the two-bedroom duplex unit.

5. Pursuant to Sub-section 7201.2 of the Zoning Regulations, when the use of a structure is changed, parking spaces shall be provided for the additional requirement in the amount necessary to conform with the requirements of Section 7202. An apartment house of four units requires two parking spaces. The applicant would have been required to provide one space for the existing rooming house use. The applicant is therefore required to provide one parking space. Since the applicant proposes to provide no parking, a variance is required.

6. The subject property is rectangular in shape with twenty feet of frontage on Mintwood Place and a depth of 121 feet. The property is adjoined on both sides by row

dwellings and therefore has no side yards. There is no alley or street at the rear of the property, which abuts Kalorama Park. There is, therefore, no access to the rear yard for parking purposes.

7. The applicant testified that the distance between the sidewalk and the front of the structure measures only seven feet and is too small to provide a nine by nineteen foot parking space. Excavation under the structure to provide a regulation parking space would not be practical since it would require a curb cut which would reduce by one space the amount of available on-street parking and would require numerous structural and other changes to the building.

8. The applicant testified that there is adequate on-street parking available within the immediate are. The area is well served by public transportation. There are four Metrobus routes on Columbia Road and three on Eighteenth Street. The Woodley Park-Zoo Metro Station is within a five-minute walking distance of the subject premises.

9. There were several letters of support for the application submitted into the record. Mr. John Ahnert, who resides in the subject property as a roomer, testified in support of the application.

10. Advisory Neighborhood Commission 1-C made no recommendation on the application.

11. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the nature of the existing property, without side yards and without access for a car to the rear yard from a street or alley, and the existence of a seven foot front yard, does create an exceptional condition. The Board notes that the use proposed is permitted as a matter of right, and concludes that denial of the application would constitute a practical difficulty for the owner. The Board notes that on-street parking is available in the area and the site is well-served by public transportation. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps.

It is therefore ordered that the application is
GRANTED.

VOTE: 4-0 (Douglas J. Patton, William F. McIntosh, John G.
Parsons and Carrie Thornhill to grant; Charles R.
Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAR 11 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO
DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN
DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL
RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING
ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH
PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE
OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES,
INVESTIGATIONS AND INSPECTIONS.

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